

---

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEW JERSEY**

---

**SALAHUDDIN F. SMART**

**Plaintiff,**

**v.**

**ERIC M. TAYLOR, et al**

**Defendants.**

**ORDER ON APPLICATION  
TO PROCEED WITHOUT  
PREPAYMENT OF FEES**

**Case Number: 05-1777-NLH)**

**APPEAL**

**Having considered the application to proceed without prepayment of fees under 28 U.S.C. § 1915;**

**IT IS ORDERED that the application is:**

☒ **GRANTED**

☐ **DENIED, for the following reasons:**

\_\_\_\_\_

\_\_\_\_\_

**ENTERED this** 13<sup>th</sup> **day of** May, **2008**

Noel L. Hillman

**Hon. Noel L. Hillman, USDCJ**

**Dated:**

**Camden, New Jersey**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE**

Salahuddin F. Smart  
Plaintiff

Civil Action No. 05-1777(NLH)

v.  
Eric M. Taylor, et al  
Defendant

**MOTION TO APPEAL "IFP"**

**I. BASIS FOR MOTION**

I would like to appeal in forma pauperis your decision because I am unable to pay the appeal docketing fees in this matter because the appellate procedure is proper venue to address my disagreement. Proceeding in forma pauperis is a privilege and this privilege should be extended to serves its goal. I do not work and have no income and I don't provide money for anybody because I live in a state of poverty. I have two dependents which I watch threw out he day and night I am with my paramour in a family setting. I do household duties as a major life activity

May 5<sup>th</sup> 2008

  
Salahuddin F. Smart

AO 240 (Rev. 10/03)

## UNITED STATES DISTRICT COURT

Camden Vantage

District of

New JerseyRECEIVED  
M.T. WALSH, CLERKSalahuddin F. Smart  
Plaintiff

v.

Eric M. Taylor, et al

Defendant

APPLICATION TO PROCEED  
WITHOUT PREPAYMENT OF  
FEES AND AFFIDAVIT

MAY -8 P 3:19

UNITED STATES  
DISTRICT COURT

CASE NUMBER:

05-1777 (NLH)Salahuddin F. Smart declare that I am the (check appropriate box)  
☒ Petitioner/plaintiff/movant ☐ Other

In the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☐ Yes ☒ No (If "No," go to Part 2)

If "Yes," state the place of your incarceration \_\_\_\_\_

Are you employed at the institution? \_\_\_\_\_ Do you receive any payment from the institution? \_\_\_\_\_

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

- Are you currently employed? ☐ Yes ☒ No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer. I have no salary or wages but my last employer was Inter Ready Inc. Methuen, NJ 01841. I have not had employment nor can I recall the actual date. No income at all.

3. In the past 12 months have you received any money from any of the following sources?

- |   |   |
|---|---|
| a. Business, profession or other self-employment  | <input type="radio"/> Yes <input checked="" type="radio"/> No |
| b. Rent payments, interest or dividends           | <input type="radio"/> Yes <input checked="" type="radio"/> No |
| c. Pensions, annuities or life insurance payments | <input type="radio"/> Yes <input checked="" type="radio"/> No |
| d. Disability or workers compensation payments    | <input type="radio"/> Yes <input checked="" type="radio"/> No |
| e. Gifts or inheritances                          | <input type="radio"/> Yes <input checked="" type="radio"/> No |
| f. Any other sources                              | <input checked="" type="radio"/> Yes <input type="radio"/> No |

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive. I receive money from Mrs Flores my paramour to purchase food to eat, wash clothes and pants about it. I don't know the exact sum because it is not my money to remember because it's sole purpose is to feed my children.

AO 240 Reverse (Rev. 10/03)

I am unable to pay for the filing fee, I am completely destitute and request for the Court to consider my poverty to grant this IFF application. I was incarcerated Aug 28, 2007 - Nov. 17, 2007. I have not maintained any employment and my activities consist of taking care of my children.

4. Do you have any cash or checking or savings accounts?

G Yes

G No

If "Yes," state the total amount. \_\_\_\_\_

Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? G Yes G No

If "Yes," describe the property and state its value.

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

Josefa P. Flores, Myah S. Flores, Meriah M. Flores

I am unable to support financially ~~them~~ but I support with my presence as the Court has seen. I appear with my daughters to the Court because this is my duties substituting for income. I am completely supported by Josefa P. Flores as far as ~~food~~ survival

I declare under penalty of perjury that the above information is true and correct.

5/5/08  
Date

Salahuddin J. Smart  
Signature of Applicant

**NOTICE TO PRISONER:** A Prisoner seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

AFFIDAVIT

I, Josefa P. Flores swear under oath and penalty of perjury that Salahuddin F. Smart does not work and lives with me in my apartment. I supply food, clothing and residence for him in exchange he stays at my apartment using the computer and is with his two children throw out the day while I work. He does not have money to pay for the appellate filing fee and I know this with first hand knowledge. He was incarcerated from August to November then release and has remained in my apartment since his release. I am unable to give him the money to pay for the appellate filing fee because I am in the process of moving from Camden to Lindenwold and I need to save for rent, and I have insurance to pay. I cannot give him the money I need to place in other places for my survival.

Dated: May 5<sup>th</sup>, 2008

Josefa P. Flores

A handwritten signature in cursive script, appearing to read "Josefa P. Flores", written in dark ink.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

Salahuddin F. Smart  
Plaintiff

Civil Action No. 05-1777(NLH)

v.  
Eric M. Taylor, et al  
Defendant

MOTION TO APPEAL "IFP"

I. BASIS FOR MOTION

I would like to appeal in forma pauperis your decision because I am unable to pay the appeal docketing fees in this matter because the appellate procedure is proper venue to address my disagreement. Proceeding in forma pauperis is a privilege and this privilege should be extended to serves its goal. I do not work and have no income and I don't provide money for anybody because I live in a state of poverty. I have two dependents which I watch threw out he day and night I am with my paramour in a family setting. I do household duties as a major life activity

May 5<sup>th</sup> 2008

  
Salahuddin F. Smart